

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

Harold Creed, Jr.)	
)	
Plaintiff,)	
)	STIPULATION OF DISMISSAL
v.)	WITH PREJUDICE
)	
Norfolk Southern Corporation and)	<u>C.A. No.:3:08-CV-363</u>
Norfolk Southern Railway Company,)	
)	
Defendants.)	

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff, Harold Creed, Jr., by and through his undersigned attorneys, and Defendants, Norfolk Southern Corporation and Norfolk Southern Railway Company, by and through its undersigned attorneys, hereby stipulate and agree to dismiss the above-captioned action and all related counterclaims, cross-claims and/or any other claims with prejudice, and the complaint and all counterclaims, cross-claims and/or any other claims herein are hereby dismissed with prejudice and any and all such claims are hereby res judicata.

s/John K. Koon
John K. Koon, Esq. (Fed. Bar #2386)
Koon and Cook, P.A.
2016 Gadsden St.
Columbia, SC 29201
(803) 256-4082
(803) 254-0658 FAX

jkoon@koonandcook.com

Richard N. Shapiro, Esq.
Hajek, Shapiro, Cooper, Lewis & Appleton, P.C.
1294 Diamond Springs Road
Virginia Beach, VA 23455

Attorneys for Plaintiff

s/Stephanie G. Flynn

Daniel B. White, Esq. (Fed. Bar #4612)

Ronald K. Wray, II (Fed. Bar #5763)

Christopher M. Kelly (Fed. Bar #6999)

Stephanie G. Flynn (Fed. Bar#7461)

GALLIVAN, WHITE & BOYD, P.A.

55 Beattie Place, Suite 1200

Post Office Box 10589

Greenville, SC 29603

(864) 271-9580

(864) 271-7502 FAX

dwhite@gwblawfirm.com

rwrap@gwblawfirm.com

ckelly@gwblawfirm.com

sflynn@gwblawfirm.com

Richard H. Willis, Esq.

Karen A. Crawford, Esq.

NELSON MULLINS RILEY & SCARBOROUGH, LLP

P.O. Box 11070

Columbia, SC 29211

Attorneys for Defendant

Norfolk Southern Corporation and

Norfolk Southern Railway Company